

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

IVAN ANTONYUK, GUN OWNERS OF AMERICA,
INC., GUN OWNERS FOUNDATION, and GUN
OWNERS OF AMERICA NEW YORK, INC.,

Plaintiffs,

against

KEVIN P. BRUEN, in his official capacity as
Superintendent of the New York State Police,,

Defendant.

**DECLARATION OF
MICHAEL G. McCARTIN**

Docket No.: 1:22-CV-734

(GTS/CFH)

MICHAEL G. McCARTIN, an attorney licensed to practice law in the State of New York and United States District Court, Northern District of New York, pursuant to 28 U.S.C. § 1746, declares under penalties of perjury, the following:

1. I am the Assistant Attorney General | Special Counsel assigned to the defense of this action, along with my co-counsel, James M. Thompson, Special Counsel for Second Amendment Litigation in the Office of the Attorney General of the State of New York.

2. I submit this declaration based on personal knowledge, for the limited purpose of providing the Court with the attached exhibits that are cited in Defendant's Memorandum of Law in Support of a Motion to Dismiss.

3. Attached as Exhibit A is a true and correct copy of the Sponsor's Memo for the bill that eventually was enacted on July 1, 2022 as the Concealed Carry Improvement Act. This document is appropriate for judicial notice. See Goe v. Zucker, 2022 U.S. App. LEXIS 21008, at *13 (2d Cir. July 29, 2022) ("courts may take judicial notice of legislative history").

4. Attached as Exhibit B is a true and correct copy of the PPB-3 Pistol License Application form, as revised in February 2007. According to the New York State Police, this

would have been the effective application form in 2009, when the Plaintiff indicates he first obtained his permit. See Compl. ¶ 1. Page 1 of the form includes a requirement to list four character references.

Dated: August 15, 2022
Albany, New York

s/Michael McCartin
MICHAEL G. McCARTIN
Assistant Attorney General | Special Counsel